

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Susan D. Aster, et al

Serial No.:

10/593,010

Case No.: 21584P

Art Unit:

Filed:

September 18, 2006

Examiner:

For:

DIARYLTRIAZOLES AS INHIBITORS OF 11-BETA-

HYDROXYSTEROID DEHYDROGENASE-1

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22123-1450

COMMUNICATION SUBMITTING INFORMATION DISCLOSURE STATEMENT

Sir:

This communication is accompanied by an Information Disclosure Statement (IDS), and is submitted to explain the content of two references that are listed on the IDS that are not in the English language.

German Application No. DT 2653447 is equivalent to British Application No. 1571481 published on July 16, 1980, which is in English. Copies are provided herewith.

Japan Application No. 8-12657 published on January 16, 1996 relates to 3, 5-diphenyl triazoles. One of the phenyl rings is substituted at the 4-position with a carboxylic acid, hydroxyl methyl or related group, while the other phenyl ring is optionally substituted at position

2 and 6 with variables X and Y. One of the triazole nitrogen atoms at position 1 or 2 is also optimally substituted with R^1 . The triazole nitrogen at position 4 is unsubstituted.

The compounds of the present application are triazoles substituted on the nitrogen atom at position 4 of the triazole nucleus, with an alkyl, alkenyl or cycloalkyl group.

An early indication of allowable subject matter is respectfully requested. If the Examiner has any questions, he or she is respectfully requested to telephone the undersigned.

Respectfully submitted,

Richard C. Billups, Reg. No. 31,916

Attorney for Applicants

MERCK & CO., INC.

P.O. Box 2000

Rahway, New Jersey 07065-0907

(732) 594-4683

Date:

: 3/21/07

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

ByPanel Sold Date 3-21-07

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For: DIARYLTRIAZOLES AS INHIBITORS OF

11-BETA-HYDROXYSTEROID DEHYDROGENASE-1

Art Unit: To Be Assigned

Examiner:

To Be Assigned

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

Sir:

- 1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
- 2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
- 3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
- Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

By Tamela Spalding Date 3-24-07

RELATED APPLICATION

FILING DATE

MERCK CASE

INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

U. S. SERIAL NUMBER

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If th	is is inconvenient, additional copies will be submitted upon request		
6	6. In accordance with 37 C.F.R. 1.97, (check one)		
	the attached information is filed within three months of the filing date	te of the captioned case.	
\checkmark	the attached information is filed more than three months after the filed office Action on the merits.	ling date but prior to the m	ailing of a first
	the attached information is filed before the mailing of a first Office a examination under §1.114.	action after the filing of a re	quest for continued
	the attached information is being filed more than three months afte Office Action on the merits, but before the mailing date of a Final A otherwise closes prosecution in the application. The enclosed auth Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).	ction, Notice of Allowance,	or an action that
	each item of information contained in this Information Disclosure S from a foreign patent office in a counterpart foreign application not Statement.		
	each item of information contained in the information disclosure sta from a foreign patent office in a counterpart application and this co designated in §1.56(c) more than thirty days prior to the filing of the	mmunication was not recei	ived by any individual
	no item of information contained in this Information Disclosure Stat foreign patent office in a counterpart foreign application, and, to the after making reasonable inquiry, was known to any individual desig months prior to the filing of this Statement.	knowledge of the person	signing the certificatior
		Respectfully submitted By: Richard C. Billups	ely

Rahway, N.J. 07065-0907 (732)594-4683

____ For Applicant(s)

Date: March 21, 2007

Attorney

Reg. No. 31,916 MERCK & CO., INC. Patent Dept., RY60-30

P.O. Box 2000

Su	bstitute for form 1449A/PTO				COMPLETE IF KNOW	N
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STATEMENT BY APPLICANT				First Named Inventor	Susan D. Aster, et al.	MAR 2 3 2007 E
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Sheet	1	of	2	Attorney Docket Number	21584P	

			.S. PA	ATENT DOCUMENTS	
Examiner Initials*	Cite No.	U.S. Patent Document	Kind Code (known)		Date of Publication of Cited Document MM-DD-YYYY
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Examiner Initials*	Cite No.	Office	Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY
	1	PCT	JP 08-12657			01/16/1996
	2	РСТ	DE 26 53 447		Fisons Ltd., London	06/08/1977
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Examiner Signature Date Considered

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STATEMENT BY APPLICANT				First Named Inventor	Susan D. Aster, et al.	
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4-Methyl-4H-1,2,4-triazoles to 1-Methyl-1H-1,2,4-triazoles", Molecules, Vol. 6, pp 969-978, 2001 Neugebauer, F.A.et al., "2,5-Dihydro-1H-1,2,4-triazol-2-yl Radicals: Syntheses and Properties" Tetrahedron,		Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
Neugebauer, F.A.et al., "2,5-Dihydro-1H-1,2,4-triazol-2-yl Radicals: Syntheses and Properties" Tetrahedron, Vol 51, No. 47, pp 12883-12898, 1995.	1	Gautun, O.R. et al., "Regioselectivity in the Thermal Rearrangement of Unsymmetrical 4-Methyl-4H-1,2,4-triazoles to 1-Methyl-1H-1,2,4-triazoles", Molecules, Vol. 6, pp 969-978, 2001
	2	Neugebauer, F.A.et al., "2,5-Dihydro-1H-1,2,4-triazol-2-yl Radicals: Syntheses and Properties" Tetrahedron, Vol 51, No. 47, pp 12883-12898, 1995.

Examiner Signature Date Considered

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.